

1 HONORABLE RONALD B. LEIGHTON
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

9 J.B., an minor child and with his legal
10 guardian, ANNABEL BLAS,

11 Plaintiffs,

12 TACOMA SCHOOL DISTRICT NO. 10,
13 A Washington Municipal Corporation,,

14 Defendant.

CASE NO. 16-cv-05952RBL
15
16 ORDER GRANTING MOTION FOR
17 LEAVE TO PROCEED IFP

18 THIS MATTER is before the Court on Plaintiffs Motion for Leave to Proceed *in forma*
19 *pauperis* [Dkt. #2].

20 A district court may permit indigent litigants to proceed *in forma pauperis* upon
21 completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad
22 discretion in resolving the application, but “the privilege of proceeding *in forma pauperis* in civil
23 actions for damages should be sparingly granted.” *Weller v. Dickson*, 314 F.2d 598, 600 (9th
24 Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should “deny leave to proceed
in forma pauperis at the outset if it appears from the face of the proposed complaint that the
action is frivolous or without merit.” *Tripathi v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369

1 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*
2 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
3 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
4 1984)).

5 Plaintiffs have met this standard. The Motion to Proceed IFP [Dkt. #2] is GRANTED.

6 IT IS SO ORDERED.

7 Dated this 17th day of January, 2017.

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10 Ronald B. Leighton
11 United States District Judge

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